

DAILY KENTUCKY YEOMAN.

KENTUCKY LEGISLATURE.

IN SENATE.

Saturday, Feb. 4, 1880.

Senate met at 9 o'clock, and was opened with prayer by the Rev. Mr. Lacy, of the Presbyterian Church.

The Journal of yesterday was read and approved.

REMONSTRANCES.

Were offered by the following Senators, and appropriately referred:

Messrs. MARSHALL, CISELL, and DARNABY. (Request of city council of Lexington to withdraw a remonstrance.)

REPORTS OF STANDING COMMITTEES.

Mr. WALTON—Education—An act to amend the charter of City Seminary. Passed.

Same—An act to incorporate Wallonia Institute. Passed.

MOTION TO SUSTAIN RULES.

Mr. DELLAYEN moved to suspend the rules in order to enable the committee on County Courts to report a bill. Passed.

Mr. McBRAYER—County Courts—An act to change the time of holding the Trimble Quarterly Courts. Passed.

REPORTS RESUMED.

Mr. WALTON—Education—An act to incorporate the Shelbyville Debating Club. Passed.

Same—An act to amend the charter of the town of Calhoun. Passed.

Same—House bill to incorporate the Alpha Kappa Phi Society of Center College. Passed.

Same—House bill for the benefit of common school districts, with amendments.

Mr. ALEXANDER moved that the bill be printed and passed into the orders of the day. Adopted.

Mr. WALTON—House bill to change and modify the act incorporating Danville Academy. Passed.

Same—House bill to amend the 3d section of an act entitled an act to incorporate Montgomery Literary Association. Passed.

Same—House bill to incorporate the Campbellville Educational Society. Passed.

Same—House bill to incorporate the Elizabethtown Literary Society. Passed.

Same—House bill conferring certain powers upon the trustees of Winchester. Passed.

Same—House bill to incorporate Aspen Grove Male and Female Seminary. Passed.

Same—House bill to incorporate the Millersburg Female College. Passed.

Mr. GILLES—Education—An act to incorporate the White County High School. Passed.

Same—An act for the benefit of Joseph D. Farris, of Whitley county. Passed.

Same—House bill for the benefit of school district No. 1, Buchanan county. Passed.

Mr. WALTON—House bill to establish an institution for the education of feeble-minded children.

Mr. GLENN moved that the bill and amendments be passed into the orders of the day.

Mr. FISK offered an amendment, to strike out "Franklin" and insert "Kentucky".

Mr. PENNEBAKER offered an amendment to the amendment, to strike out "Franklin" and insert "Jefferson".

Mr. BRUNER offered an amendment. Decided out of order.

Mr. CISELL offered a substitute to the several amendments. Decided out of order.

Mr. ANDREWS moved the previous question.

Same—Demanded the yeas and nays.

The motion was adopted by a vote of 28 yeas to 3 nays.

The question being upon the motion of Mr. Glenn.

Mr. ANDREWS demanded the yeas and nays.

The motion was rejected by a vote of 11 yeas to 21 nays.

The Senate having refused to pass the bill into the orders of the day.

The question was upon the amendment of Mr. Pennebaquer to the amendment of Mr. Fisk.

Mr. PENNEBAKER briefly sustained his amendment.

Mr. BRUNER demanded a division of the question.

The question being upon the proposition to strike out.

After some discussion between Messrs. Speaker, (PORTER), Mr. Grover in the chair, ANDREWS, READ, WALKER, HAYCRAFT, FISK, GLENN, WALTON, CHAMBERS, and ALEXANDER.

Mr. WALKER moved to postpone the further consideration of the bill and amendments until Monday at 11 o'clock. Rejected.

Mr. BRUNER withdrew his motion.

The question being upon the amendment of Mr. Pennebaquer.

Mr. CISELL demanded the yeas and nays.

Mr. PENNEBAKER withdrew his amendment.

The question being upon the amendment of Mr. Fisk.

Mr. ANDREWS demanded the yeas and nays.

The amendment was rejected by a vote of 5 yeas to 28 nays.

Mr. PENNEBAKER renewed his amendment.

Same—Demanded the yeas and nays.

The SPEAKER (Mr. Grover in the chair), moved a division of the question.

The question being upon the proposition to strike out.

The SPEAKER withdrew the motion.

Mr. WHITAKER renewed the motion, and demanded the yeas and nays.

The motion was rejected by a vote of 15 yeas to 19 nays.

The Senate having refused to strike out.

Mr. ANDREWS moved the previous question.

The question being upon the passage of the bill, it was passed by a vote of 24 yeas to 0 nays.

MOTION TO SUSTAIN.

Mr. ALEXANDER moved a suspension of the rules to enable the committee on Propositions and Grievances to report a bill. Adopted.

Mr. GRUNDY—An act amendatory and supplemental to an act establishing the county of Metacomb. Passed.

A MESSAGE FROM THE GOVERNOR.

By the Secretary of State, was received, announcing that his Excellency had signed and approved a bill for the benefit of Q. C. Shanks, of Ohio county.

A MESSAGE FROM THE HOUSE.

Was received, announcing the titles of a Senate bill and resolutions introduced in the House; also the titles of sundry bills passed by the House; also, Senate amendments to House bills, which the House refused to concur in.

PRIVILEGED MOTION.

Mr. GROVER moved a suspension of the rules in order to enable him to move a reconsideration of the vote by which the act for the benefit of Col. Jno. Miller was rejected.

MOTION TO TAKE A RECESS.

Mr. ANDREWS moved that when the Senate adjourn at 12 o'clock, it take a recess until 3 o'clock. Adopted.

MOTION TO SUSTAIN.

Mr. WHITAKER moved a suspension of the rules of the day to enable the committee on Circuit Courts to report a bill. Adopted.

MESSAGE FROM THE HOUSE.

Mr. LEACH, a member of the House, reported the titles of several bills passed by the House.

ORDERS OF THE DAY.

An act to repeal an act prohibiting the importation of slaves into this Commonwealth.

Mr. READ resumed his remarks, which were cut off yesterday by the hour of adjournment. He began by apologizing for consuming so much of the time of the Senate, and thanked Senators for their forbearance and kindness. His remarks were different from those he intended to deliver a few days ago. He was compelled to change them in order to reply to the Senator from Union. He apprehended no danger to our slave property by the repeal of this law. The opponents of the bill under consideration assert that persons can, under

the existing laws, import slaves from Virginia or elsewhere. So they can. But they are compelled to take an oath that they will hold such slaves for five years. If a man, under the present law, purchases and imports a slave that proves to be diseased or vicious, he is *compelled* to keep such slave for five years. Is there justice in this? He apprehends not. He resented to the Senate resolution, which, he contended, was in effect and meaning, a prohibition of the importation of slaves into the District of Columbia, as the law of 1833 is a prohibition of the importation of slaves into Kentucky. Upon the statute book of Kentucky is a law, identical in meaning with this law which the abolitionists attempted to fasten upon the District of Columbia; a law which he was endeavoring to repeal, and he was sorry that Senators upon this floor, natives of the South, and representatives of slaveholding constituencies, were arrayed in opposition to the repeal of this law.

He then reverted to and reviewed the history of the slavery question in American politics. At the beginning, the faction opposed to slavery was small and insignificant—"no bigger than a man's hand." The result of the Presidential contest of 1856 had shown us that this small faction had grown into a large and formidable party in this country. He then alluded to the numerous legislative enactments, over one million votes. He was fearful that this feeling had crossed the Ohio, and was diffusing itself among Kentuckians. He then referred to the Auditor's Report, and presented figures showing the decrease of slaves and the value of slave property in sundry counties bordering upon the Ohio, and contingent thereon of an anticipated increase of the same property, and the increase in its value, in the interior counties of the State. Strangely to say, he found the principal opponents to his bill in Senators representing these communities where slave property and its value was decreasing yearly. When did they get the power to say that a man shall keep his slave for five years, and the whole of his property, and the value of his estate, shall be contingent upon the increase of slaves. He desired to remove all restrictions. The opponents of the repeal of this law had asserted that it was the slave traders who were clamoring for the repeal of this law. That is not so. He had conversed yesterday evening with a prominent slave trader of this State, who assured him that he was opposed to the repeal of this law, because his profit would thereby be cut off. It was the people, and not the slave traders who demanded the repeal of this law. It must be repeated, or the situation of slavery must go down never to rise again. The Senator from Union is acting in opposition to the example of his predecessor, in opposing the repeal of this law, as a constituent in opposition to the wishes of the people of Kentucky. The existence of the institution depends upon the repeal of this law. He believed it was ordained of Heaven—a blessing to the black race, and a benefit to the white. The whole argument of the opponents of repeal was that it would bring vicious and diseased slaves into the State. He contended that the law itself, which compels one to keep such slaves.

He concluded by thinking the Senate for their kind and patient attention.

Mr. PENNEBAKER intended to reflect the will of his constituents voting against the repeal of this law. He did not believe there were live men in his district who desired its repeal.

The question being upon Mr. Cise's amendment.

Mr. CISELL desired to reply to Mr. Read, and feeling too indisposed to do so to-day, desired to have the further consideration of the bill postponed until Monday.

Mr. GROVER moved that the further consideration of the bill be postponed until 12 o'clock on Monday.

Mr. WALKER presented an amendment to be read for the information of the Senate.

The question being upon Mr. Grover's motion, it was adopted.

Mr. WALKER said:

Mr. Speaker, my object in rising is not now to make a speech, but, as suggested by the honorable Senator from Laramie, I have an amendment to offer to the proper use of this bill, which I ask may now be read for the information of the Senate.

The amendment, if offered now, might tend to interfere with the convictions of Senators upon the propositions discussed for two days.

The amendment is as follows:

Provided, That no slave shall be imported into this State who has been run away from any other State for crime, or who has been convicted or under charge of felony; *Provided further*, That any person or persons importing slaves into this State shall, within sixty days after he arrives with such slave or slaves from any State, go before the Clerk of some County Court within this State, and describe the color, age, name, and sex, of such slave or slaves, and make affidavit that such slave or slaves have not been run away from any other State for crime, or charged or convicted of crime in any State of this Confederacy; which affidavit shall be filed and kept as part of the records of said County Court; *And provided further*, That any person who shall violate the provisions of this act, shall be subject to all the penalties now imposed by law.

Mr. ANDREWS moved that the Senate now take a recess until 3 o'clock. Adopted.

HOUSE BILLS DISTRIBUTED.

On motion of Mr. IRVING, the rules were suspended, and a large number of House bills were distributed among the various Senate committees.

BILL REPORTS.

Mr. CISELL, from the Judiciary committee, reported a bill to create the 14th judicial district, and for other purposes.

Same—offered an amendment.

Mr. WALKER moved to amend the bill by striking out "M. Leach".

Same—Moved the further consideration of the bill be postponed until Monday, at 11 o'clock.

Mr. WALKER moved to amend the bill, and Mr. WALKER's motion, that the bill and amendments be recommended to the Judiciary committee, with instructions to report at 10 o'clock on Monday. Adopted.

LEAVE TO BRING IN BILLS.

Mr. PENNEBAKER—A bill to increase the salary of the Secretary of State to \$2,000. Finance.

Mr. FISK—A bill to increase the salaries of the Circuit Court Judges of this Commonwealth. Finance.

Mr. PENNEBAKER—A bill to reorganize the Court of Appeals, and increase the salaries of the Judges. Judiciary.

Mr. IRVING—A bill to regulate and change the time of holding courts in the best judicial district. Judiciary.

Mr. ANDREWS—A bill to raise the Salary of Senators and Representatives from \$4 to \$6 per diem. Finance.

Mr. RHEA—A bill for the benefit of J. B. Herndon. Revised Statutes.

Same—A bill to incorporate the town of Middletown. Religion.

Same—A bill to incorporate the town of Adairville. Religion.

On motion of Mr. ANDREWS, the Senate adjourned.

HOUSE OF REPRESENTATIVES.

Saturday, Feb. 4, 1880.

The House met at 9 o'clock, and was opened with prayer by Rev. Mr. Lacy, of the Presbyterian Church.

On motion of Mr. CROXTON, the reading of the Journal was dispensed with.

REPORTS.

Were presented by the SPEAKER, Messrs. CARLELE, S. JOHNSON, IRELAND, and TERRY, and appropriately referred.

REPORT.

Mr. GALE—From the committee on Penitentiary, made a report on the condition of that institution, and the report was ordered to be printed.

MESSAGE FROM THE GOVERNOR.

A message was received from the Governor by the Secretary of State, reporting his Excellency's approval of sundry bills originating in this House.

CALL OF THE COMMITTEES.

Mr. RICHARDSON—A bill to incorporate Big Spring and Brandenburg turnpike company. Passed.

Same—A bill to charter Brandenburg Savings Bank. Committee on Banks.

Mr. ABELL—A bill to amend the charter of Monday's Landing and Harrodsburg turnpike road company. Passed.

Same—A bill to change the boundary line between the counties of Washington and Mercer. Passed.

Mr. DOWNING—A bill in relation to peddling. (Allows persons to peddle in tinware and stone ware and turpentine without paying license. Fell into the order.)

Mr. S. JOHNSON—A bill to change the time of holding the Quarterly Courts of Nelson county. Passed.

Same—A bill to charter the Fairfield and Cox's Creek turnpike road company. Passed.

Same—A bill to charter the Bardstown and Frankfort turnpike company. Passed.

Mr. MANN—A bill for the benefit of school district No. 1, in Penitentiary county. Passed.

Mr. CRIFTON—A bill for the benefit of County Clerks and Sheriffs of this Commonwealth. Committee on County Courts.

Same—A bill for the benefit of County Attorneys. (Authorized to appear for non-residents.) Committee on Judiciary.

Mr. FISK—A bill to incorporate the Union Church and Presbytery and Episcopal Church South, as an up county. Passed.

Mr. GOWDY—A bill for the benefit of Benj. Gaddy. Passed.

Same—A bill to close certain streets in the town of Tiptonville. Passed.

Mr. TERRY—A bill to improve the public roads in Tipton county. Passed.

Same—A bill to disburse in part with local and private legislation. Rejected.

Same—A bill to improve the public roads in the county of Logan. Passed.

Same—A bill to add a certain road to the town of Russellville. Passed.

Same—A bill to require the surveyor of Logan county to keep the books and papers of his office in the town of Russellville.

Mr. TERRY moved to make the provisions of the bill apply to the surveyor of the county of Todd. Adopted.

And the bill, as amended, then passed.

Same—A bill making property, now exempt from execution, liable for taxes.

Mr. EWING supported the bill. The House, the other day, almost unanimously passed a bill

making property owned by citizens of towns and cities, that is exempt from execution, liable for taxes. All the people should be on an equality; the law should act on every one alike. He was opposed to making a discrimination in favor of people living in the county and against those living in towns and cities.

Mr. McELROY spoke in opposition to the bill.

Mr. EWING offered to amend the bill by adding "that hereafter all property shall be liable to taxation." Rejected.

The question was then upon the passage of the bill, and the yeas and nays being demanded, it was decided in the negative.

Yeas—Messrs. (Speaker), Meriwether, Bohannon, Brown, Buckner, Burbridge, Burnum, Carlisle, Cleary, Cleveland, J. W. Cook, M. J. Cook, Downing, Ellis, English, Ewing, Timm, Fisher, Foster, Geizer, Gilbert, Gowdy, Hill, Hines, Hunter, Hutchins, S. Johnson, Luckey, Mann, McKee, W. L. Neil, Ritter, Rodman, Shawhan, Sherill, Terry, Tye, Word—37.

Nays—Messrs. Abell, Acree, Alexander, Armstrong, Burns, Burton, Chambers, Clay, Colley, Coleman, Croxon, Day, Dahms, Dunlap, Faulconer, Fogle, Gaidner, Gale, Ganaway, Holcomb, Griffin, Gude, Haynes, Hitt, Ireland, W. Johnson, Leach, Lane, Lene, McElroy, McFarland, Rathbun, Rice, Roberts, Salvers, Sheld, H. H. Smith, I. D. Smith, Sneed, Tevis, Thomas, Thompson, D. P. White—43.

Mr. McELROY—A bill for the benefit of the sheriffs of the county of Crittenden. Passed.

Same—A bill for the benefit of Thomas Landrum and Josiah Vesely, late sheriff and deputy sheriff of the county of Daykes. Passed.

Mr. GILBERT moved to make the provisions apply to Asa Gilbert, sheriff of Clay county. Adopted.

And the bill, as amended, then passed.

Mr. McELROY—A bill for the benefit of certain sheriffs and their securities of this Commonwealth.

Released from damages, provided they pay into the treasury the amounts due the State by the 1st day of April next. Passed.

Mr. HINES—A bill authorizing the trustees of the town of Bowling Green to dispose of certain lots in said town. Passed.

Same—A bill to authorize an additional election precinct in Warren county. Passed.

Same—A bill to authorize the County Court of Warren to sell the poor-house lands in said county. Passed.

Same—A bill to incorporate Green River Insurance Company. Passed.

RESOLUTION.

Mr. HINES offered a resolution that the House thereafter meet at 9 o'clock A. M., continue the session until 1 o'clock P. M., and then take a recess to meet again at 2 o'clock P. M. Adopted—yeas 63, nays 20.

REPORT OF SELECT COMMITTEES CONTINUED.

Mr. COFFEY—A bill to incorporate the Monticello and Cumberland river turnpike company. Passed.

Same—An act taxing free negroes in Boyle county. [The County Court of Boyle authorized to levy a tax on each free negro of from \$1 to \$3.] Passed.

Same—A bill repealing all laws giving jurisdiction to Justices of the Peace in the county of Jefferson and city of Louisville, in law and equity cases, of all amounts over the sum of fifty dollars.

Mr. CARLISLE moved to lay the bill on the table; and the yeas and nays being required, it was decided in the negative—yeas 28, nays 36.

Mr. McELROY moved to commit the bill to the committee on Circuit Courts, and the committee instructed to bring in a bill to secure to the State the revenue on sundries amounting to over \$50. Adopted.

Mr. TYE—A bill to amend the charter of the Williamsburg, Cumberland River, and Tennessee railroad company. Passed.

Mr. COODLOE—A bill to increase the county level of Woodford county. [County Court authorized to increase the county level to \$2.] Passed.

Same—A bill to repeal the law taxing stags, jacks, and bulls. Ways and Means.

Same—A bill to amend the criminal code of practice.

Give the Court of Appeals appellate jurisdiction in all proceedings for misdemeanors, except when the only punishment is either fine of fifty dollars, not exceeding that amount, or imprisonment not exceeding 30 days, or both time and imprisonment not exceeding the amount specified.] Passed.

Same—A bill to legitimate the children of Alfred Anderson. Passed.

Same—A bill to lay off Adair county into magistrates' and election districts. Passed.

Same—A bill to erect a suitable residence for the Governor of this State.

After considerable discussion by Messrs. Goodloe and Leach in favor, and Messrs. McElroy and Ireland in opposition to the bill, the question was upon its final reading and decided in the negative—yeas 17, nays 69.

Same—A bill to incorporate Port Royal Lodge, No. 159, I. O. O. F., in Henry county. Passed.

Same—A bill to incorporate the Eminence Cemetery Company. Passed.

Mr. EKEE—A bill to incorporate the town of Candeville. Passed.

Same—A bill to authorize the Anderson County Court to sell and convey the poor house lands in said county. Passed.

Same—A bill to amend the charter of the city of Louisville. Passed.

Mr. RITTER—A bill to amend the law establishing the county of Metacomb. Passed.

Same—A bill to change the State road leading from Glasgow to Glasgow. Passed.

Same—A bill for the benefit of H. B. Burks, of Barren county. Passed.

Same—A bill to incorporate Cane City, of Barren county. Passed.

Same—A bill for the benefit of the Circuit Clerks of this Commonwealth.

[Auditor authorized to draw his warrant on the treasury in favor of each Clerk for \$4], for services in criminal cases.] Committee on Circuit Courts.

Same—A bill to amend the law in relation to taxing the lands belonging to non-residents. Passed.

Same—A bill for the benefit of Wilson Adamson and Nancy Hayson. Passed.

Same—A bill to amend the law in relation to the time, manner, and object of professional preparation.

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Same—A bill to amend the law in relation to the time, manner, and object

